

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA	:	
Plaintiff	:	
v.	:	
	:	NO.: 2:12-CR-418-6
	:	
KENNETH PARNELL	:	
Defendant	:	

ORDER

AND NOW, this _____ day of _____, 2013, it is hereby
ORDERED and **DECREED** that defendant, Kenneth Parnell's Motion to Join Motion of Co-
Defendant Robert Whitfield's Motion for Hearing and Discovery on the Issue of Racial
Profiling/Selective Prosecution and that the Court consider the additional two examples of
alleged racial bias and selective prosecution proffered by Defendant Parnell is **GRANTED**.

BY THE COURT:

J.

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA

v.

KENNETH PARNELL

Defendant

:
:
:
:
:
:
:

NO.: 2:12-CR-418-6

**MOTION OF KENNETH PARNELL TO JOIN MOTION OF CO-DEFENDANT
ROBERT WHITFIELD'S MOTION FOR HEARING AND DISCOVERY ON THE
ISSUE OF RACIAL PROFILING/SELECTIVE PROSECUTION AND FOR THE
COURT TO CONSIDER TWO ADDITIONAL ALLEGED EXAMPLES OF RACIAL
BIAS AND SELECTIVE PROSECUTION PROFFERED BY DEFENDANT PARNELL**

The defendant respectfully requests the Court to grant Defendant Kenneth Parnell's Motion to Join Motion of Co-Defendant Robert Whitfield's Motion for Hearing and Discovery on the Issue of Racial Profiling/Selective Prosecution and in support thereof avers as follows:

1. On May 22, 2013, the Jury found the defendant guilty of Counts 1-5 of the Indictment (Conspiracy to Commit Robbery which interfered with Interstate Commerce 18 U.S.C. § 1951, the Attempt to do so under the same section, Conspiracy to Possess with the Intent to Distribute and attempted Possession with the Intent to Distribute 5 Kilograms or more of cocaine pursuant to 21 U.S.C. § 846 and 21 U.S.C. 841(b)(1)(A) and Carrying a Firearm During and in Relation to a Crime of Violence pursuant to 18 U.S.C. 924(c)).

2. Thereafter, the issue of racial profiling and selective prosecution was brought before the Court and the Court deferred the sentencings in this matter and gave the defendants until October 25, 2013 to research the issue of racial profiling and selective prosecution and to file appropriate motions with the Court.

3. On October 25, 2013, Defendant Robert Whitfield filed a Motion for Hearing and Discovery on the Issue of Racial Profiling/Selective Prosecution.

4. In Defendant Whitfield's Motion for Hearing and Discovery on the Issue of Racial Profiling/Selective Prosecution at paragraph 4, Defendant Whitfield lists cases that he believes are examples of racial profiling and selective prosecution.

5. Defendant Parnell has engaged into his own investigation and in addition to those cases cited by Defendant Whitfield has found two other examples of what he believes are racial profiling and selective prosecution. They are:

- a. USA v. Abdul Johnson and Karim Williams, Magistrate Case No.: 12-1244, Criminal No.: 12-514(CMR) (Complaint attached hereto as Exhibit "A") and
- b. USA v. Clifton McLean and Leroy Winston, Magistrate Case No.: 13-969, Criminal No.: 13-487(RK) (Complaint attached hereto as Exhibit "B").

6. Defendant Parnell requests that he be allowed to join in Defendant Whitfield's Motion for Hearing and Discovery on the Issue of Racial Profiling/Selective Prosecution.

7. Defendant Parnell further requests that the Court consider the additional two examples of alleged racial bias and selective prosecution described in paragraph 5 above when considering Defendant Whitfield's motion and any answer by the government thereto.

WHEREFORE, the defendant respectfully requests this Honorable Court grant his Motion to Join Robert Whitfield's Motion for Hearing and Discovery on the Issue of Racial Profiling/Selective Prosecution and that the Court consider the additional two examples of alleged racial bias and selective prosecution proffered by Defendant Parnell.

Respectfully submitted,
DRANOFF AND PATRIZIO, P.C.

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BY: _____
STEPHEN P. PATRIZIO, ESQUIRE

CERTIFICATE OF SERVICE

STEPHEN P. PATRIZIO, ESQUIRE, hereby certifies that a true and correct copy of the within MOTION was duly served upon the following via email through the Court's electronic filing system.

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DATE: 10-25-13

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STEPHEN P. PATRIZIO, ESQUIRE
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